

1
2 IN THE UNITED STATES DISTRICT COURT
3

4 FOR THE NORTHERN DISTRICT OF CALIFORNIA
5

6 MARK C. CURTIS,
7

No. C 04-01376 CW

Plaintiff,

CONDITIONAL ORDER
OF DISMISSAL

v.

8 TOASTMASTER INC.,
9

Defendant.

10 _____/

11
12 The parties hereto, by their counsel, having advised the
13 Court that they have agreed to a settlement of this cause,
14

15 IT IS HEREBY ORDERED that this cause be dismissed with
16 prejudice; provided, however, that if any party hereto shall
17 certify to this Court, with proof of service of a copy thereon on
18 opposing counsel, within 90 days from the date hereof, that the
19 agreed consideration for said settlement has not been delivered
20 over, the foregoing Order shall stand vacated and this cause shall
21 forthwith be restored to the calendar to be set for trial.

22 IT IS SO ORDERED.

23 Dated: 6/16/05
24

/s/ CLAUDIA WILKEN
25 CLAUDIA WILKEN
26 United States District Judge
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